

In the Court of Appeals of the State of Alaska

Justin A. Starkweather,

Appellant,

v.

State of Alaska,

Appellee.

Court of Appeals No. A-13477

Order

Date of Order: 8/14/19

Trial Court Case # **3KN-12-00092CI**

The Appellant, Justin Starkweather moves to waive the filing fee for his appeal. This case, a prisoner's civil appeal against the State of Alaska, is governed by the provisions of AS 9.19. Under AS 9.19.010(d), even when a prisoner cannot afford to pay the normal filing fee, the filing fee must be at least 20 percent of (1) the average monthly amount of deposits to the prisoner's account during the preceding six months or (2) the average monthly balance of the prisoner's account during the preceding six months, whichever is greater.

Based on the financial information provided by the Appellant, the greater figure is twenty percent of the average monthly deposits of the prisoner's account: \$48.88. It is the practice of this Court to round the minimum filing fee up to the nearest 25 cents. In Mr. Starkweather's case, this yields a minimum filing fee of \$49.00.

Accordingly, IT IS ORDERED:

1. Mr. Starkweather's motion to waive the normal filing fee is **GRANTED IN PART.**

2. Mr. Starkweather shall pay a reduced filing fee of **\$49.00**. This fee must be paid on or before 9/13/19. If there is good reason, the Court may grant an extension of this deadline. If Mr. Starkweather fails to pay the filing fee within the time allowed, this appeal will be rejected for filing and this case will be closed.

Entered under the authority of Chief Judge Allard.

Clerk of the Appellate Courts

M. Johnson, Deputy Clerk

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